

E-FILED on 12/6/2012

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROSARIO MARINELLO,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
CTF SOLEDAD,

Defendants.

No. 12-02564 RMW

ORDER

[Re dkt: 28, 31]

The court's November 11, 2012 order granting defendants' motion to dismiss erroneously contained a title indicating that the plaintiff had been found to be a vexatious litigant. Dkt. no. 28. As stated in the order, plaintiff was **not** found to be a vexatious litigant. This order corrects that erroneous title. The rest of the order stands.

Plaintiff also moved for an extension of time to respond to the court's order to show cause and the motion to dismiss. Dkt. no. 31. As the court did not find plaintiff to be a vexatious litigant and already has ruled on the motions, the motion is moot and dismissed.

DATED: December 6, 2012


RONALD M. WHYTE
United States District Judge

ORDER
No. 12-02564 RMW
SW